

Sujata Gibson

From: Sujata Gibson
Sent: Friday, December 10, 2021 12:05 PM
To: Paulson, Susan (Law)
Cc: Sarah Child
Subject: FW: Kane/Keil: Request for Information from Citywide Panel

Good Afternoon Susan,

I wanted to note that we join in the *Keil* plaintiffs disclaimer about the new application process and stress that in submitting the materials as directed by the court to do, *Kane* plaintiffs do not waive any claims or arguments either.

Kind Regards,
Sujata

Sujata S. Gibson. Esq.
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From: Sarah Child
Sent: Friday, December 10, 2021 11:59 AM
To: Paulson, Susan (Law) <spaulson@law.nyc.gov>
Cc: Barry Black <bblack@nelsonmaddenblack.com>; Jonathan Nelson <jnelson@nelsonmaddenblack.com>
Subject: RE: Kane/Keil: Request for Information from Citywide Panel

Ms. Paulson,

Attached please find the *Keil* plaintiffs' responses to the questions from the Panel. Please note that we deem this submission unnecessary under the law. Accordingly, no such argument or legal position is waived by this submission.

Best,

Sarah E. Child, Esq.
Nelson Madden Black LLP
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New York, NY 10016
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From: Paulson, Susan (Law) <spaulson@law.nyc.gov>
Sent: Wednesday, December 8, 2021 3:01 PM
To: Sarah Child <schild@nelsonmaddenblack.com>; Jonathan Nelson <jnelson@nelsonmaddenblack.com>
Cc: Barry Black <bblack@nelsonmaddenblack.com>; Sujata Gibson <sujata@gibsonfirm.law>; Brandon Babwah <bbabwah@nelsonmaddenblack.com>
Subject: FW: Kane/Keil: Request for Information from Citywide Panel
Importance: High

Adding Ms. Child and Mr. Nelson.

Susan Paulson
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From: Paulson, Susan (Law)
Sent: Wednesday, December 8, 2021 2:57 PM
To: bblack@nelsonmaddenblack.com; Brandon Babwah <bbabwah@nelsonmaddenblack.com>; Sujata Gibson <sujata@gibsonfirm.law>
Cc: 'Dearing, Richard (Law)' <Rdearing@law.nyc.gov>; Slack, Devin (Law) <dslack@law.nyc.gov>
Subject: Kane/Keil: Request for Information from Citywide Panel
Importance: High

Counsel,

I just received the following communication from the Citywide Panel requesting additional information from your clients concerning their religious accommodation requests. In order to adhere to the schedule set by the Second Circuit, the Panel has requested this information **by noon on Friday, December 10**.

You may forward the responses to me, in one document, or I can provide you with a DOE email address to which you may submit the documents. Please advise.

The Citywide Appeals Panel are currently in the process of reviewing the various appeals from the employees in the Kane and Keil cases. After speaking with the appeals panel, there are some aspects of the requests that are unclear and we would like some additional information from the appellants to help us better understand the nature of the employee's request. We would like to know:

- 1) Whether the employee has taken any vaccinations previously.*
- 2) For employees who stated they have a personal religious aversion to foreign or other impermissible substances entering their body, some letters are vague as to what substances the employee is referring to. We would like each employee to please describe this with more clarity, including describing any other commonly used medicines, food/drink and other substances they consider foreign/impermissible or that violate their religious belief.*
- 3) For the employees who claim that they cannot take the vaccination because it was developed and/or tested using derivative fetal cells that the employee is concerned may have been the result of an abortion, we would like to know if the employees take medications such as ibuprofen and acetaminophen, or any other medications that were similarly developed or tested using fetal cell derivative lines.*

We would also like to give each employee the opportunity to let us know about any other occasion the employee has acted in accordance with the cited belief outside the context of a COVID-19 vaccination, to the extent it was not previously provided in the documentation already submitted.

We understand that based on previous discussions with their counsel, all such requests and communications must be sent through counsel. I would ask that you convey this to counsel to pass along to their clients and provide an appropriate response for our review.

Given the schedule of the Second Circuit, we would like to have the responses by noon on Friday.

Best,

Susan

Susan Paulson

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